

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

BILLY FRANKLIN JOHNSON, III,

Petitioner,

CHERRY LINDAMOOD, Warden,

Respondent.

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) NO. 3:06-0416
) JUDGE HAYNES
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ORDER

In accordance with the Memorandum filed herewith, the Respondent's motion to dismiss (Docket Entry No. 41) is **GRANTED** and the Petitioner's petition for the writ of habeas corpus is **DENIED**. The Court **GRANTS** a Certificate of Appealability on all of Petitioner's claims.

This is the Final Order in this action.

It is so **ORDERED**.

ENTERED this the 26th day of March, 2010.


WILLIAM J. HAYNES, JR.
United States District Judge